

UNITED STATES DISTRICT COURT  
DISTRICT OF PUERTO RICO

EVELYN CRUZ-GOMEZ,

Plaintiff,

v.

GLADYS RIVERA-MEDINA, et al.,

Defendants.

Civil No. 03-1809 (JAF)

**O R D E R**

\_\_\_\_Defendant Rivera-Medina moves to dismiss because Plaintiff has failed to serve a summons and complaint, in violation of Federal Rule of Civil Procedure 4(m), which requires that process be perfected within one-hundred and twenty (120) days. Docket Document No. 67; FED. R. CIV. P. 4. Over two and a half years have passed since Plaintiff filed her complaint. Docket Document No. 1. Plaintiff served process upon the other defendants on July 24, 2002. Id. Furthermore, Plaintiff has failed to respond to Defendant Rivera-Medina's motion to dismiss.

As Plaintiff has failed to comply with the Rule 4 service of process requirements, her claims against Defendant Rivera-Medina are dismissed. Defendant Rivera-Medina's motion to dismiss is GRANTED. Docket Document No. 67. Partial judgment to enter accordingly.

**IT IS SO ORDERED.**

San Juan, Puerto Rico, this 31<sup>st</sup> day of January, 2006.

s/José Antonio Fusté  
JOSE ANTONIO FUSTE  
Chief U. S. District Judge